

# **DIGEST SUPPLEMENT**

To Legislative Digest and History of Bills **Supplement No. 19\*** 

# FIFTY-EIGHTH LEGISLATURE

Friday, February 7, 2003

26th Day - 2003 Regular

SENATE			HOUSE		
SB 5025-S SB 5063-S SB 5165-S SB 5165-S SB 5378-S SB 5676 SB 5677 SB 5678 SB 5679 SB 5680 SB 5681 SB 5682 SB 5683 SB 5684 SB 5685 SB 5685 SB 5685 SB 5686 SB 5687 SB 5686	SB 5689 SB 5690 SB 5691 SB 5692 SB 5693 SB 5695 SB 5695 SB 5696 SB 5697 SB 5698 SB 5699 SB 5700 SB 5701 SB 5702 SB 5703 SB 5704 SJM 8014	SJR 8214	HB 1001-S HB 1138-S HB 1240-S HB 1240-S HB 1241-S HB 1242-S HB 1243-S HB 1724 HB 1725 HB 1726 HB 1727 HB 1728 HB 1729 HB 1730 HB 1731 HB 1732 HB 1733 HB 1733	HB 1735 HB 1736 HB 1737 HB 1738 HB 1739 HB 1740 HB 1741 HB 1742 HB 1743 HB 1744 HB 1745 HB 1745 HB 1745 HB 1746 HB 1747 HB 1748 HB 1748	

## **House Bills**

HB 1001-S by House Committee on Judiciary (originally sponsored by Representatives Lantz, Chase, Ruderman, Fromhold, Dickerson, Conway, Schindler, Veloria, O'Brien, Kenney, Campbell, Nixon and Darneille)

Revising voyeurism laws.

## (AS OF HOUSE 2ND READING 2/05/03)

Specifies the elements of the crime of voyeurism in the first degree and voyeurism in the second degree.

Declares that voyeurism in the first degree is a class C felony.

Declares that voyeurism in the second degree is a gross misdemeanor, unless the person who commits the crime of voyeurism in the second degree has previously been convicted under this section or of a sex offense as defined in RCW 9.94A.030, in which case voyeurism in the second degree is a class C felony.

Provides that, if a person is convicted of a violation of this act, the court may order the destruction of any photograph, motion picture film, digital image, videotape, or any other recording of an image that was made by the person in violation of this act.

Provides that a person who distributes, disseminates, or otherwise discloses any photograph, motion picture film, digital image, videotape, or any other recording that the person knows was made or acquired in violation of RCW 9A.44.115(2)(a) is guilty of a class C felony.

Provides that a person who distributes, disseminates, or otherwise discloses any photograph, motion picture film, digital image, videotape, or any other recording that the person knows was made or acquired in violation of RCW 9A.44.115(2)(b) is guilty of a gross misdemeanor, unless the person has previously been convicted under this act, under RCW 9A.44.115, or of a sex offense as defined in RCW 9.94A.030, in which case the person is guilty of a class C felony.

Provides that no gross misdemeanor may be prosecuted more than two years after its commission; except that in a prosecution under RCW 9A.44.115(2) (b), if the person who was viewed, photographed, or filmed did not realize at the time that he or she was being viewed, photographed, or filmed, the prosecution must be commenced within one year of the time the person who was viewed or in the photograph or film first learns that he or she was viewed, photographed, or filmed, or within two years after the commission of the offense, whichever is later.

#### -- 2003 REGULAR SESSION --

- Jan 20 JUDI Majority; 1st substitute bill be substituted, do pass.
- Jan 21 Passed to Rules Committee for second reading.
- Feb 4 Rules suspended.

Rules Committee relieved of further consideration. Placed on second reading.

Feb 5 1st substitute bill substituted. Floor amendment(s) adopted.

Rules suspended. Placed on Third Reading.

Third reading, passed: yeas, 96; nays, 0; absent, 2.

#### - IN THE SENATE -

Feb 6 First reading, referred to Judiciary.

HB 1138-S by House Committee on Fisheries, Ecology & Parks (originally sponsored by Representatives McIntire, Ericksen, Armstrong, Dunshee, Cooper, Anderson, O'Brien, Haigh, Kenney, Lantz, McDermott and Chase)

Continuing the state parks and outdoor recreation funding task force.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Finds that the state parks and outdoor recreation funding task force created in section 303, chapter 371, Laws of 2002 requires additional time to evaluate the services and funding needs for state parks and outdoor recreation lands.

Recognizes that there are limited resources available for managing these lands.

Declares an intent to continue the task force to complete the work initiated in 2002 and develop additional recommendations for the 2004 legislative session.

Directs the task force to conduct a thorough evaluation of the organizational structures and service delivery of the outdoor recreation sites and programs managed by the state parks and recreation commission, the department of fish and wildlife, and the department of natural resources.

Requires the task force to make recommendations to the legislature by December 1, 2003, identifying priorities for managing state parks and outdoor recreation lands and stable long-term funding to adequately support those activities.

Expires April 1, 2004.

#### -- 2003 REGULAR SESSION --

Feb 4 FEP - Majority; 1st substitute bill be substituted, do pass.

HB 1240-S by House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Sullivan, Crouse, Wood, Morris, Grant, Schoesler, Quall, Ruderman and Schindler)

Providing tax incentives for biodiesel and alcohol fuel production.

# (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides tax incentives for biodiesel and alcohol fuel production.

#### -- 2003 REGULAR SESSION --

- Feb 4 TTE Majority; 1st substitute bill be substituted, do pass.
  Minority; do not pass.
- Feb 6 Referred to Finance.

HB 1241-S by House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Sullivan, Crouse, Wood, Morris, Grant, Schoesler, Quall, Ruderman and Schindler)

Providing tax incentives for the distribution and retail sale of biodiesel and alcohol fuels.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Provides tax incentives for the distribution and retail sale of biodiesel and alcohol fuels.

#### -- 2003 REGULAR SESSION --

Feb 4 TTE - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 6 Referred to Finance.

HB 1242-S by House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Sullivan, Crouse, Wood, Morris, Grant, Schoesler, Quall, Ruderman and Mielke)

Establishing requirements for the use of biodiesel by state agencies.

# (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Encourages all state agencies to use a fuel blend of twenty percent biodiesel and eighty percent petroleum diesel for use in diesel-powered vehicles and equipment.

Provides that, effective June 1, 2006, for agencies complying with the ultra-low sulfur diesel mandate of the United States environmental protection agency for onhighway diesel fuel, agencies shall use biodiesel as an additive to ultra-low sulfur diesel for lubricity. The amount of biodiesel added to the ultra-low sulfur diesel fuel shall be not less than two percent.

## -- 2003 REGULAR SESSION --

Feb 4 TTE - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 6 Passed to Rules Committee for second reading.

Referred to Finance.

HB 1243-S by House Committee on Technology, Telecommunications & Energy (originally sponsored by Representatives Sullivan, Wood, Crouse, Morris and Schoesler)

Establishing a biodiesel pilot project for school transportation.

# (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Directs the superintendent of public instruction to conduct a pilot project on the use of biodiesel with ultra low sulfur diesel in school buses powered by compressionignition engines. The pilot project must begin in September of 2003.

Requires the superintendent of public instruction to submit a report of findings to the legislature by September 1, 2005.

## -- 2003 REGULAR SESSION --

Feb 4 TTE - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Feb 6 Passed to Rules Committee for second reading.

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Conforming the department of services for the blind provisions with federal law.

Conforms the department of services for the blind provisions with federal law.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Children & Family Services.

# **HB 1725** by Representatives Cooper and Upthegrove

Concerning the cost of a catch record card.

Provides that catch record cards necessary for proper management of the state's food fish and game fish species and shellfish resources shall be administered under rules adopted by the commission and issued at no charge for the initial catch record card and ten dollars for each subsequent catch record card. A duplicate catch record costs ten dollars. The funds received from the sale of catch record cards must be deposited into the wildlife fund.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Fisheries, Ecology & Parks.

HB 1726 by Representatives Haigh and Armstrong; by request of Office of Financial

Management

Changing provisions relating to an employer's indebtedness to a deceased person for unpaid wages, labor, or services performed.

Provides that, in the event the decedent's employer is the state of Washington, then the amount of the indebtedness that can be paid under RCW 49.48.120 shall not exceed ten thousand dollars. At the beginning of each biennium, the director of financial management may by administrative policy adjust the amount of indebtedness that can be paid under this act to levels not to exceed the percentage increase in the Seattle consumer price index. Adjusted dollar amounts of indebtedness shall be rounded to the nearest five hundred dollar increment.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Labor.

# **HB 1727** by Representatives O'Brien and Kirby

Providing that no fee may be charged for death certificates of sex offenders supplied to law enforcement agencies.

Provides that no fee may be demanded or required for furnishing certified copies of a death certificate of a sex offender for use by a law enforcement agency in maintaining a registered sex offender data base.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Health Care.

HB 1728 by Representatives O'Brien, Sump and Kirby

Authorizing community and technical colleges to appoint special police officers.

Provides that special police officers, as established under authority of this act, when appointed and duly sworn: (1) Shall be limited authority Washington peace officers and shall have the authority to enforce all criminal laws of the state of Washington, including the power to arrest and issue criminal citations for offenses, while on duty; and

(2) May only exercise such powers while on stateowned community or technical college property and associated buildings, or if in fresh pursuit of a person who has committed a crime on community or technical college property pursuant to RCW 10.93.090.

Provides that such powers shall be terminated upon the removal of the employee from appointment as a special police officer, failure to meet annual refresher training standards, or an arrest or conviction of any felony, crime of violence, controlled substance violation, or offense involving moral turpitude.

Declares that special police officers shall not be authorized to utilize firearms in the performance of their duties

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Higher Education.

**HB 1729** by Representatives O'Brien, Kagi and Berkey

Revising provisions relating to inmate funds. Revises provisions relating to inmate funds.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Labor.

by Representatives Condotta, Armstrong, Sump, Newhouse, Holmquist, Hinkle, Clements, Kristiansen, Chandler, Pearson, Skinner, Schoesler and Buck

Limiting the ability of certain state agencies to purchase land.

Provides that no state agency may purchase a privately owned parcel of land in excess of five contiguous acres in any county in which public land, federal land, and tribal land together constitute more than seventy percent of the total land mass, not including aquatic lands, of the county, except under the provisions of this act.

Provides that an agency may purchase more than five contiguous acres under the provisions of this act if: (1) The legislature takes specific action directing the agency to make the purchase;

- (2) The appropriate county legislative authority or authorities consent to the transaction; and
  - (3) The transaction is funded by other than state dollars.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Capital Budget.

HB 1731 by Representatives Kenney, Cox and Chase; by request of Higher Education Coordinating Board

Changing provisions in the educational opportunity grant program.

Revises provisions in the educational opportunity grant program.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Higher Education.

HB 1732 by Representatives Roach, Cairnes, Schual-Berke and Condotta

Requiring voter approval for port district property taxes.

Provides that a port district may impose a levy under this act if a ballot proposition authorizing the levy to be imposed has been approved by a simple majority vote of voters of the district voting on the ballot proposition at a general or special election in the year in which the levy is first imposed. The tax may be imposed annually for a period of up to four years.

Provides that a port district may continue imposing property levies under this act without obtaining voter approval, but only for the purpose of making interest and principal payments on the general indebtedness incurred before the effective date of this act to avoid the impairment of a contract.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Local Government.

HB 1733 by Representatives McIntire, Benson, Gombosky, Kenney, Jarrett, Ruderman, Dunshee and Simpson

Creating the Washington voluntary accounts program.

Finds that many workers do not have access to an employment-based retirement plan. Workers who are unable to build up pensions and savings risk living on low incomes in their old age and are more likely to become dependent on state services.

Declares that the Washington voluntary accounts program will provide a simple and inexpensive way for workers to save for retirement and employers to offer an employee benefit.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Appropriations.

HB 1734 by Representatives Romero, Hinkle, Moeller, Delvin, Grant, Jarrett and Flannigan; by request of Department of Community, Trade, and Economic Development

Updating the state building code.

Declares it is in the state's interest and consistent with the state building code act to have in effect provisions regulating the construction of single and multiple-family residences.

Declares an intent that the state building code council adopt the International Residential Code through rule making granted in RCW 19.27.074, consistent with state law regulating construction for electrical, plumbing, and energy codes, and other state and federal laws regulating single and multiple-family construction.

Provides that, in accordance with RCW 19.27.020, the state building code council shall promote fire and life safety in buildings consistent with accepted standards.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Local Government.

HB 1735 by Representatives Murray, Jarrett, Gombosky, Romero, Simpson, Kenney and Wood

Restructuring authorization for street utilities.

Declares that the purpose of this act is to protect the public health and safety by regulating urban streets and transportation systems, to provide for a street utility service for street preservation, maintenance, rehabilitation, and reconstruction and related urban transportation system needs of residential and business street users within a street utility service area, to provide a means to identify such areas, and to provide for street utility service charges reasonably proportionate to a street user's allocable share of street utility services.

Provides that, notwithstanding any other provision, nothing in this act or action taken under its authority may be construed to create or increase any municipal liability to any particular person or entity, or to increase or enhance any municipal common law duty of care relating to the public right-of-way or the maintenance and repair thereof.

Repeals RCW 82.80.040, 82.80.050, and 82.80.060.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Transportation.

hb 1736 by Representatives Lantz, Carrell, Boldt, Dickerson and Kenney

Revising provisions regarding the role of guardians for persons with developmental disabilities.

Revises provisions regarding the role of guardians for persons with developmental disabilities.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Judiciary.

HB 1737 by Representatives McIntire, Morris, Conway and Simpson

Repealing outdated and unused tax preferences.

Finds that a number of tax exemptions, deductions, credits, and other preferences have outlived their usefulness. State records show no taxpayers have claimed relief under these tax preferences in recent years. The intent of this act is to update and simplify the tax statutes by repealing these outdated tax preferences.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Finance.

HB 1738 by Representatives Haigh and Armstrong; by request of Office of Financial Management

Providing for recoupment of state employee salary and wage overpayments.

Provides that debts due the state for the overpayment of salary or wages to state employees may be recovered by the employer by deductions from subsequent salary or wage payments as provided in this act, or by civil action. If the overpayment is recovered by deduction from the employee's

subsequent salary or wages, each deduction shall not exceed five percent of the employee's net pay per pay period. The deductions from salary or wages shall continue until the overpayment is fully recouped.

Provides that, when an employer determines that an employee was overpaid salary or wages, the employer shall provide written notice to the employee. The notice shall include the amount of the overpayment, the basis for the claim, a demand for payment within twenty days of the date on which the employee received the notice, and the rights of the employee under this act.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Labor.

HB 1739 by Representatives Alexander, Sommers, Romero and Hunt; by request of Department of General Administration

Funding services within the department of general administration.

Provides funding for services within the department of general administration.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Appropriations.

HB 1740 by Representatives Hunt, Pearson, Sullivan, Haigh, McDermott, Tom, Miloscia, Hinkle, Simpson, Conway, Fromhold, Bush, Hudgins, Ahern, Hatfield, Pettigrew, Clibborn, Dickerson, Linville, Morris, Dunshee, Wallace, Schual-Berke, Veloria, Chase, Romero, Ruderman and Condotta

Prohibiting professional football blackouts.

Provides that any professional football team performing in a stadium constructed or operated under chapter 36.102 RCW, and any league, association, or conference affiliated with the team, shall not deny, based on attendance, local broadcast rights within seventy-five miles of the stadium for a live broadcast of any event held in the stadium.

Does not apply if, seventy-two hours before the event, the percentage of seats sold for the event is lower than the percentage of the total cost of the construction of the stadium paid with public funds.

Declares that this act is not intended to impair existing contract rights, but shall be applied to any extension or renegotiation of an existing contract and to any new contract between a professional football team performing in a stadium constructed or operated under this chapter, and any league, association, or conference or any local, regional, or national television broadcaster, cable network, or satellite carrier.

Provides that this act takes effect ninety days after certification by the secretary of state that substantively similar legislation has been enacted into law by at least four additional states of the United States.

Declares that if the secretary of state has not issued the certification required by this act by January 1, 2009, this act is null and void.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Technology, Telecommunications & Energy.

**HB 1741** by Representatives Romero, Lantz, Mielke, O'Brien, Edwards, Chase and Schindler

Prohibiting discrimination against consumers' choices in housing.

Provides that a city, county, or other governmental body with legislative authority may not enact any statute or ordinance that has the effect, directly or indirectly, of discriminating against consumers' choices in the construction, placement, or use, of a home in such a manner that is not equally applicable to all homes. Homes built to 42 U.S.C. Sec. 5401 et seq. standards (as amended in 2000) must be regulated in the manner as site built homes, factory built homes, or homes built to any other state construction standard. Discrimination based on type of construction, use, or placement of a manufactured home is a restraint of trade and a violation of RCW 19.86.030.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Local Government.

HB 1742 by Representatives Rockefeller, Eickmeyer, McIntire, Lantz, Woods and Haigh

Including sports and recreation facilities in public facilities districts' authority.

Amends RČW 36.100.030 to include sports and recreation facilities in public facilities districts' authority.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Trade & Economic Development.

HB 1743 by Representatives Cooper, Upthegrove, Sump, Pearson and Anderson; by request of Department of Ecology

Addressing problems of hazardous waste facilities.

Declares that the management, regulation, and oversight of wastes at hazardous waste management facilities, including recyclers and used oil processors, is essential to prevent adverse effects on the environment and the economy and to protect public health and safety. Toward that end, the legislature determines that the department, in consultation with representatives of the waste management industry, business, local government, environmental groups, and other interested parties, shall take the following actions: (1) By July 1, 2004, adopt amended rules, chapter 173-303 WAC, governing the financial assurance, pollution liability, and closure plans at facilities, including recyclers and used oil processors, to assure that adequate funds will be available to pay for safe and orderly cleanup and/or closure at those facilities:

- (2) By July 1, 2004, adopt a rule to establish a system for authorizing recycling and used oil processing operations that are not currently subject to hazardous waste permits; and
- (3) By September 30, 2003, submit recommendations to the legislature for the 2004 legislative session, addressing a fee-based system to provide adequate funding for the department's permitting, compliance, and assistance programs for hazardous waste facilities, including recyclers and used oil processors.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Fisheries, Ecology & Parks.

**HB 1744** by Representatives Lovick and Campbell

Revising provisions establishing and distributing court fees.

Revises provisions establishing and distributing court fees.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Judiciary.

HB 1745 by Representatives Kessler, Romero, Jarrett, Ruderman, Nixon, Clibborn, Rockefeller, Dickerson, Simpson, McDermott, Kenney, Linville and Wood

Requiring inspections of egg-laying facilities.

Requires the director to establish a program for conducting inspections of egg-laying facilities in which one hundred or more laying hens are kept and has the authority to conduct the inspections. The director shall develop and maintain a list of egg-laying facilities to be inspected from information the department receives from persons licensed under chapter 69.25 RCW. Each egg-laying facility shall be inspected a minimum of two times per year. To the degree practicable, the inspections must be unannounced.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Judiciary.

HB 1746 by Representatives Alexander, Conway, DeBolt, Chandler and Simpson

Requiring electrical contractors to be licensed before advertising.

Requires electrical contractors to be licensed before advertising.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Labor.

hb 1747 by Representatives McIntire, Santos, Conway, McDermott and Kenney

Making the local government tax treatment of software businesses uniform.

Finds that certainty and uniformity of tax treatment of the software industry is important to the industry and consumers. The intent of this act is to make the tax treatment of software clear and certain for local governments, developers, programmers, and consumers.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Finance.

HB 1748 by Representatives Sommers, Alexander, Fromhold, Kenney, Sehlin, Dunshee and

Kagi

Hiring retired members of the public employees' retirement system plan 1 and the teachers' retirement system plan 1.

Establishes provisions for hiring retired members of the public employees' retirement system plan 1 and the teachers' retirement system plan 1.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Appropriations.

**HB 1749** by Representatives Grant, Schoesler, Ahern, Benson and Ericksen

Concerning withdrawals of public ground waters.

Amends RCW 90.44.050 relating to withdrawals of public ground waters.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Agriculture & Natural Resources.

#### **Senate Bills**

SB 5025-S by Senate Committee on Natural Resources, Energy & Water (originally sponsored by Senators Honeyford, Mulliken and Hale)

Concerning the reversion of water rights to the state.

## (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises provisions concerning the reversion of water rights to the state.

# -- 2003 REGULAR SESSION --

Feb 6 NR - Majority; 1st substitute bill be substituted, do pass.

And refer to Ways & Means.

Minority; do not pass.

SB 5063-S by Senate Committee on Government Operations & Elections (originally sponsored by Senators Doumit, Zarelli and Rasmussen)

Providing for elections for flood control zone district supervisors.

# (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Establishes requirements and procedures for elections for flood control zone district supervisors.

# -- 2003 REGULAR SESSION --

Feb 6 GO - Majority; 1st substitute bill be substituted, do pass.

Passed to Rules Committee for second

reading.

SB 5165-S by Senate Committee on Judiciary (originally sponsored by Senators Kohl-Welles, Kline, McCaslin and Franklin)

Regulating vehicular pursuit.

#### (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Requires that, by December 1, 2003, the Washington state criminal justice training commission, the Washington state patrol, the Washington association of sheriffs and police chiefs, and organizations representing state and local law enforcement officers shall develop a written model policy on vehicular pursuits.

Requires that, by June 1, 2004, every state, county, and municipal law enforcement agency shall adopt and implement a written vehicular pursuit policy. The policy adopted may, but need not, be the model policy developed under this act. However, any policy adopted must address the minimum requirements specified.

Requires that, by June 30, 2006, every new full-time law enforcement officer employed, after the effective date of this act, by a state, county, or municipal law enforcement agency shall be trained on vehicular pursuits.

Requires that, beginning July 1, 2006, every new fulltime law enforcement officer employed by a state, county, or municipal law enforcement agency shall be trained on vehicular pursuits, within six months of employment.

Declares that nothing in this act requires training on vehicular pursuit of any law enforcement officer who is employed in a state, county, or city law enforcement agency on the effective date of this act beyond that which he or she has received prior to the effective date of this act.

#### -- 2003 REGULAR SESSION --

Feb 5 JUD - Majority; 1st substitute bill be substituted, do pass.

Feb 6 Passed to Rules Committee for second reading.

SB 5378-S by Senate Committee on Commerce & Trade (originally sponsored by Senators Honeyford, Hewitt, T. Sheldon, Mulliken, Rasmussen and Hale)

Simplifying and adding certainty to the calculation of workers' compensation benefits.

# (DIGEST OF PROPOSED 1ST SUBSTITUTE)

Revises procedures to simplify and add certainty to the calculation of workers' compensation benefits.

# -- 2003 REGULAR SESSION --

Feb 6 CT - Majority; 1st substitute bill be substituted, do pass.

Minority; do not pass.

Passed to Rules Committee for second reading.

SB 5676 by Senators Carlson, Kohl-Welles, Mulliken, Shin and Schmidt; by request of Higher Education Coordinating Board

Changing provisions in the educational opportunity grant program.

Revises provisions in the educational opportunity grant program.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Higher Education.

SB 5677 by Senators McAuliffe, Carlson, Parlette, Eide, Rasmussen, Regala, Schmidt, Kohl-Welles and Shin

Requiring state-level education and higher education policy boards to conduct joint meetings.

Directs the state board of education to meet jointly with the higher education coordinating board at least once each year on issues of relevance to both boards. The state board of education shall also meet jointly with the state board for community and technical colleges at least once each year on issues of relevance to both boards.

Authorizes the state board of education to choose to meet jointly with the higher education coordinating board and the state board for community and technical colleges at the same meeting.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Higher Education.

## SB 5678 by Senators Honeyford and Hargrove

Expanding economic development powers of cities, towns, and counties.

Provides that all cities, towns, and counties may engage in economic development activities or programs. In order to meet its economic development goals and objectives, any city or town or instrumentality thereof is authorized, within its governmental or proprietary capacity as determined by the legislative authority, to: (1) Own and operate industrial and commercial parks, and developments, and mixed use developments containing industrial and commercial facilities, and in the exercise of such power shall have the right to sell, lend, transfer, exchange, lease, or otherwise dispose of related lands, buildings, and facilities to any state, province, or any political subdivision or instrumentality thereof, or the federal government or any Indian tribe, or to any other public or private person or entity;

- (2) Engage in programs to attract and retain businesses and commercial enterprises, and develop and fund programs for job training, retraining, and retention;
- (3) Form nonprofit corporations and participate in the formation or be members of joint ventures, partnerships, limited liability companies, and all other forms of business enterprises consistent with the provisions of Article VIII, section 7 of the Washington state Constitution;
- (4) Develop, construct, and operate infrastructure and public facilities;
- (5) Transfer or loan to the state, any city, county, special purpose district, public development authority, or other political subdivision or instrumentality thereof, or the federal government or any Indian tribe, with or without consideration, any funds, real or personal property, property interests, or services;
- (6) Contract with for-profit and nonprofit corporations or other entities in furtherance of this and other acts relating to economic development; and
- (7) Take such actions and engage in such activities as may be otherwise permitted by law.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Economic Development.

SB 5679 by Senators Deccio, B. Sheldon, Winsley and Fraser; by request of Department of General Administration

Funding services within the department of general administration.

Provides funding for services within the department of general administration.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Ways & Means.

SB 5680 by Senators Mulliken, T. Sheldon and Morton

Allowing counties with low population densities to be exempt from GMA review requirements.

Allows counties with low population densities to be exempt from GMA review requirements.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Land Use & Planning.

SB 5681 by Senators Sheahan, T. Sheldon, Honeyford, Hale and Mulliken

Modifying minimum wage provisions.

Provides that an employer may pay a new employee an initial wage rate equal to the greater of seventy-five percent of the rate required under RCW 49.46.020 or the federal minimum wage rate for the first ninety days of employment by the employee.

Provides that an employer shall not terminate the employment of employees after the ninety-day period for the primary purpose of obtaining the reduced wage rate under this act. If the department determines that an employer has engaged in this practice, the employer must remit the entire amount of wages for all employees that would have been paid under chapter 49.46 RCW without regard to this act.

Provides that an employer may pay a new employee, who is not an emancipated minor under chapter 13.64 RCW, an initial wage rate equal to the greater of seventy-five percent of the rate required under RCW 49.46.020 or the federal minimum wage rate.

Provides that no political subdivision shall modify, in any respect, the minimum wage requirements of this chapter through ordinance, resolution, or other legislative action.

Declares that for the purposes of this act, "political subdivision" means a county, city, special purpose district, agency of the state, or any other municipality or public body created under state law.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Trade.

# SB 5682 by Senators Honeyford and Mulliken

Authorizing a temporary reduction in the minimum wage for new employees.

Provides that an employer may pay a new employee an initial wage rate equal to the greater of seventy-five percent of the rate required under RCW 49.46.020 or the federal minimum wage rate for the first ninety days of employment by the employee.

Provides that an employer shall not terminate the employment of employees after the ninety-day period for the primary purpose of obtaining the reduced wage rate under this act. If the department determines that an employer has engaged in this practice, the employer must remit the entire

amount of wages for all employees that would have been paid under chapter 49.46 RCW without regard to this act.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Trade.

SB 5683 by Senators Honeyford, T. Sheldon and Mulliken

Preventing local jurisdictions from modifying state minimum wage laws.

Provides that no political subdivision shall modify, in any respect, the minimum wage requirements of chapter 49.46 RCW through ordinance, resolution, or other legislative action.

Declares that for the purposes of this act, "political subdivision" means a county, city, special purpose district, agency of the state, or any other municipality or public body created under state law.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Trade.

SB 5684 by Senators Honeyford, T. Sheldon and Mulliken

Modifying minimum wage provisions. Revises minimum wage provisions.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Trade.

SB 5685 by Senators Honeyford, T. Sheldon and Mulliken

Authorizing a reduced wage rate for nonemancipated minors.

Authorizes an employer to pay a new employee, who is not an emancipated minor under chapter 13.64 RCW, an initial wage rate equal to the greater of seventy-five percent of the rate required under RCW 49.46.020 or the federal minimum wage rate.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Trade.

**SB 5686** by Senators Keiser, Prentice and McAuliffe

Establishing a formula for deductions from workers' compensation benefits of inmates and providing for benefits to be sent to department of corrections.

Declares that the formula shall include the following minimum deductions from any workers' compensation benefits paid pursuant to RCW 51.32.080: (1) Five percent to the public safety and education account for the purpose of crime victims' compensation;

- (2) Ten percent to a department personal inmate savings account;
- (3) Twenty percent to the department to contribute to the cost of incarceration; and
- (4) An amount equal to any legal financial obligations owed by the inmate established by an order of any

Washington state superior court up to the total amount of the award.

Provides that, if the department of labor and industries has received notice that an injured worker entitled to benefits payable under chapter 51.32 RCW is in the custody of the department of corrections pursuant to a conviction and sentence, the department shall send all such benefits to the worker in care of the department of corrections, except those benefits payable to a beneficiary as provided in RCW 51.32.040 (3)(c) and (4). Failure of the department to send such benefits to the department of corrections shall not result in liability to any party for either department.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Children & Family Services & Corrections.

SB 5687 by Senators Prentice, Honeyford, Shin and Rasmussen

Exempting the installation, maintenance, and repair of certain medical devices from electrician licensing requirements.

Declares that no license required by RCW 19.28.041, certification required by RCW 19.28.161, permitting, or inspection required by RCW 19.28.101 is required for the installation, maintenance, or repair of a device used or useful in the diagnosis or treatment of disease or injury as described in this act. This exemption does not preclude licensing, certification, or permitting and inspection requirements for the installation of raceway/wiring systems supplying such devices.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Trade.

SB 5688 by Senators Winsley, Fairley, McCaslin and Schmidt

Phasing-in state payment for even-year elections.

Provides that, whenever state officers or measures are voted upon at a state primary or general election held in an even-numbered year under RCW 29.13.010, the state of Washington shall assume a share of the costs of the primary or election according to the following schedule: (1) 2004, twenty-five percent;

- (2) 2006, fifty percent;
- (3) 2008, seventy-five percent; and
- (4) 2010 and thereafter, one hundred percent.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Government Operations & Elections.

SB 5689 by Senators Mulliken, Kline and Swecker

Encouraging interlocal agreements prior to annexation.

Requires that, prior to initiating an annexation, a city and town shall enter into a general interlocal agreement with the county that governs annexations by that city or town. The interlocal agreement may be supplemented to address issues specific to an individual annexation. The general interlocal annexation agreement must include the following: (1) The agreement must include a statement of the goals of the agreement;

- (2) The agreement must specify the subject areas and policies and procedures the parties agree to undertake in annexations; and
- (3) Only those counties and cities in compliance with this act have the requisite authority to receive grants, loans, pledges, or financial guarantees from those accounts established in RCW 43.155.050 and 70.146.030. Only those counties and cities in compliance with this act may receive preference for grants or loans subject to the provisions of RCW 43.17.250.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Land Use & Planning.

## **SB 5690** by Senators Rossi and Fairley

Limiting the taxability of certain internet transactions.

Revises provisions relating to the taxability of persons with limited connections to Washington.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Technology & Communications.

SB 5691 by Senators Regala, Kohl-Welles, Carlson, Fairley, Kline and McAuliffe

Selecting wetlands mitigation projects.

Requires the department of ecology to review wetlands compensatory mitigation projects and evaluate the adequacy of hydrological information presented by a project proponent to determine the likelihood of success of the project.

Provides that the department may require a hydrological assessment of the site.

Requires the hydrological assessment to be sufficiently detailed to demonstrate that the mitigation site will attain a hydrologic regime to meet the goals presented in the proponent's compensatory mitigation project.

Provides that the hydrological assessment should identify the relationship between the proponent's compensatory wetlands mitigation project and the site's existing ground water and surface water.

Provides that, if a proposed wetlands compensation project targets specific functions, the hydrological assessment must demonstrate that the site will achieve a hydrologic regime needed to develop and support these functions.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Natural Resources, Energy & Water.

SB 5692 by Senators Carlson, Hargrove, Esser, Parlette, Kohl-Welles, McAuliffe and

Rasmussen

Establishing a 211 network.

Directs the department to use moneys from the 211 account and other legislative appropriations to finance in whole or in part the study, design, implementation, and support of a statewide 211 system.

Declares that activities eligible for assistance from the 211 account and other legislative appropriations include, but are not limited to: (1) Creating a structure for a statewide 211 resources data base that will meet the alliance for information and referral systems standards for information

and referral systems data bases and that will be integrated with local resources data bases maintained by approved 211 service providers;

- (2) Developing a statewide resources data base for the 211 system;
- (3) Enhancing the access Washington resource data base maintained by the corrections clearinghouse division of the department to support the 211 system;
- (4) Maintaining public information available from state agencies, departments, and programs that provide health and human services for access by 211 service providers;
- (5) Providing grants to approved 211 service providers for the design, development, and implementation of 211 for its 211 service area;
- (6) Providing grants to approved 211 service providers to enable them to provide 211 service on an ongoing basis; and
- (7) Providing grants to approved 211 service providers to enable the provision of 211 services on a twenty-four-hour per day seven-day a week basis.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Children & Family Services & Corrections.

SB 5693 by Senators Schmidt, Eide, Esser, Brandland, Horn, Shin and Rasmussen

Suspending an intermediate driver's license upon a first traffic offense.

Provides that, on the first such conviction or finding the department shall revoke the person's intermediate driver'slicense and mail the parent or guardian of the person a notification of the revocation. A person may reapply for an intermediate license after a period of three months. During the three-month period, a person may reapply for an instruction permit.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Highways & Transportation.

SB 5694 by Senators Swecker, Jacobsen, Horn, Doumit, Haugen and Rasmussen

Creating a pilot project to develop an integrated environmental permit system.

Finds that the public, as well as permit applicants, agencies, and affected parties, will benefit from an environmental review and permitting system that integrates and makes easily accessible the requirements and documentation for agency decision making, facilitating timely and effective participation in the process.

Provides that, by December 1, 2005, the office of permit assistance shall develop a guidance document for creating a unified project decision support document for state and federal agencies and local governments that will be sufficient to support all regulatory decision making.

Provides that, by December 1, 2005, the office shall develop recommendations for an integrated permit system to integrate project design, environmental review, permitting, and mitigation; develop recommendations for legislative changes to statutory authorizations and administrative procedures needed to establish the system; and develop detailed recommendations for full-scale testing of the system through one or more pilot projects.

Appropriates the sum of two hundred fifty thousand dollars, or as much thereof as may be necessary, from the

general fund to the office of permit assistance for the fiscal year ending June 30, 2004, to carry out the purposes of this act

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Economic Development.

SB 5695 by Senators Honeyford, Winsley, Mulliken, Johnson, T. Sheldon, Zarelli, Oke and

Rasmussen

Declaring buildings used for criminal activity to be a nuisance.

Provides that every building or unit within a building used for the purpose of aiding, promoting, or conducting criminal activity, and every building or unit within a building wherein or upon which such acts take place, is a nuisance which shall be enjoined, abated, and prevented, whether it is a public or private nuisance. In a multiunit building only the offending unit shall be declared a nuisance, and only the offending unit shall be enjoined, abated, and prevented.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Judiciary.

SB 5696 by Senators Honeyford, Prentice, Mulliken, Rasmussen, Deccio, Doumit and Parlette

Concerning sheepherder housing.

Provides that, for the purposes of mobile housing for range sheepherders, the department shall not enforce standards exceeding the minimum applicable requirements for such housing found in standards adopted by the United States department of labor.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Trade.

SB 5697 by Senators Hewitt, T. Sheldon, Hale, Mulliken, Rasmussen, Parlette, Swecker, Oke, Deccio, Sheahan, Stevens, Honeyford and Morton

Modifying the inflationary adjustment to the minimum wage.

Revises the inflationary adjustment to the minimum wage.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Trade.

SB 5698 by Senators Kline, Fraser, Keiser and Jacobsen

Providing for citizen enforcement of health and environmental laws.

Provides that any citizen may commence a civil action on his or her own behalf against any person who is alleged to have violated an environmental or public health standard or requirement, or an order issued by a governmental agency with respect to such a standard or requirement, if there is evidence of more than one day or instance of violation. Authorizes the court, upon finding violation of an environmental or public health standard or requirement, to assess a civil penalty against the violator in an amount not to exceed ten thousand dollars per violation per day of violation unless justice so requires.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Judiciary.

SB 5699 by Senators Benton, Mulliken, Stevens, Swecker, Hewitt, Hale and Sheahan

Guaranteeing certain benefits for surviving spouses and children of state patrol officers.

Authorizes certain benefits for surviving spouses and children of state patrol officers.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Ways & Means.

SB 5700 by Senators Benton, Swecker, Oke, Esser and Hewitt

Creating the tax-me-more account.

Recognizes there are individuals who believe they are undertaxed and that advocate a greater tax burden for Washingtonians. Therefore, it is hereby the declared policy of this state to provide such individuals with the opportunity to contribute more of their income to state government and to this end there is hereby created in the state treasury the "tax-me-more account."

Provides that any person who believes they are undertaxed may contribute any amount of money they so choose to the account. The account shall consist of money received from contributions, donations, gifts, bequests, grants, or other sources granted or given for this account.

## -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Ways & Means.

SB 5701 by Senators Benton, Swecker, Schmidt, Mulliken, Esser, Zarelli, Hewitt, Stevens and Hale

Requiring driver licensing agents to question the citizenship of voter registration applicants.

Requires driver licensing agents to question the citizenship of voter registration applicants.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Government Operations & Elections.

SB 5702 by Senators Benton, Finkbeiner, Hewitt, Esser, Mulliken, Swecker, Schmidt, Hale, Rossi, Johnson, Zarelli, McCaslin, Stevens and Horn

Enacting the Transportation Efficiency Act of 2003. Enacts the Transportation Efficiency Act of 2003.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Highways & Transportation.

SB 5703 by Senators Hale, T. Sheldon, Zarelli, Shin and Oke

Modifying business and occupation tax credit qualification requirements.

Revises business and occupation tax credit qualification requirements.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Economic Development.

SB 5704 by Senators Keiser, Fairley, Thibaudeau and Kohl-Welles

Requiring businesses to pay an amount equal to the amount its employees pay in premiums to the basic health plan.

Requires businesses to pay an amount equal to the amount its employees pay in premiums to the basic health plan.

#### -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Health & Long-Term Care.

#### **Senate Joint Memorials**

SJM 8014 by Senators Honeyford, Franklin, Mulliken, Keiser and Hewitt

Requesting reconsideration of the Resource Justification Model.

Requests that Congress should: Adequately fund state administration of the unemployment insurance system based upon appropriate criteria; encourage the Department of Labor to set aside the Resource Justification Model for fiscal year 2003 while additional evaluations of the system are undertaken; and seriously consider the Washington State Employment Security Department's October 14, 2002, revised submittal under the Resource Justification Model.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Commerce & Trade.

## **Senate Joint Resolutions**

# SJR 8214 by Senators Jacobsen and Thibaudeau

Amending the Constitution to eliminate the powers of initiative and referendum.

Proposes an amendment to the state Constitution to eliminate the powers of initiative and referendum.

# -- 2003 REGULAR SESSION --

Feb 6 First reading, referred to Government Operations & Elections.

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